

PATENT
2283-1-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Marc Gagné
SERIAL NO. : 08/952,574
FILED : November 11, 1997
FOR : GENETICALLY TREATED ANIMALS

EXPRESS MAIL "MAILING CERTIFICATE NO." : EV 117463257 US
DATE OF DEPOSIT : MAY 31, 2002

PETITION TO ESTABLISH FILING DATE

ASSISTANT COMMISSIONER FOR PATENTS
BOX PCT
WASHINGTON, D.C. 20231

ATTENTION: PCT LEGAL

Dear Sir:

Applicant herein petitions for the establishment of a filing date for the above-identified Application which was to have entered the National Phase of the Patent Cooperation Treaty before the United States Patent and Trademark Office. Inasmuch as telephone discussions with a representative in the designated office of the PCT before the U.S. Patent and Trademark Office revealed that the file in question cannot be located, the following information and documents are herewith submitted.

05/24/2005 CSMOOT 00000004 111153 08952574
Sale Ref: 00000005 DAH: 111153 08952574
01 FC:2613 465.00 DA
02 FC:2615 77.00 DA
03 FC:2616 135.00 DA

BEST AVAILABLE COPY

Initially, the present Application entered the National Phase of the Patent Cooperation Treaty before the U.S. Patent and Trademark Office by the submission by Express Mailing of the Application as published before the International Authority, together with appropriate Small Entity Statements, two (2) sheets of drawings, a check in the amount of \$682.00 covering the filing fee thereof and copies of the International Examination Report and International Search Report. Copies of these documents are enclosed herewith and are set forth as Exhibit 1. This filing was conducted on November 10, 1997 and the canceled postoffice express mail receipt bearing that date was also obtained, and a copy of the same is enclosed as Exhibit 2.

Thereafter, Applicant received the hand-cancelled postcard receipt that accompanied the Application at filing, bearing the present Serial No. and indicating the date of receipt by the PCT/PTO of 10 November 1997. A copy of this document is likewise enclosed as Exhibit 3. Subsequent thereto, Applicant submitted to the Patent and Trademark Office a duly completed Information Disclosure Statement together with necessary form PTO-1449. These documents were likewise submitted together with a postcard receipt and a copy of the documents together with a copy of the cancelled postcard receipt evidencing receipt of the PTO as of December 22, 1997 is attached hereto as Exhibit 4.

Subsequent thereto, Applicant forwarded for filing a duly executed Assignment document vesting ownership and title in the invention in a company identified as IMMUNOVA. This document was likewise accompanied by a postcard and the cancelled postcard indicating also, a date of receipt by the Patent and Trademark Office of December 22, 1997 is enclosed herewith as Exhibit 5.

Subsequently, the file reveals that the duly recorded Assignment document was forwarded to Applicant in accordance with customary procedures by the PTO, and included the usual cover sheet reflecting the recordation date and the reel and frame number of the Assignment. A copy of this documentation, including the cover sheet dated February 12, 1998, is enclosed herewith as Exhibit 6.

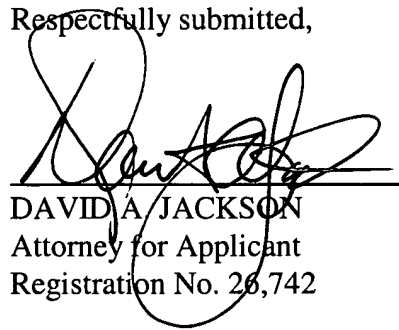
In accordance with customary procedure in the present office, the Application was called up for review and as no activity had been observed, a Status Inquiry letter was forwarded as of July 14, 2000. The cancelled postcard receipt was returned to the undersigned and was stamped by the Patent and Trademark Office as of July 17, 2000. A copy of the cancelled postcard is likewise attached hereto as Exhibit 7. A further Status Inquiry was forwarded to the Patent and Trademark Office as of July 6, 2001, and was likewise duly received with a return of our postcard receipt with appropriate cancellation from the U.S. Patent and Trademark Office. A copy is attached hereto as Exhibit 8.

A further or third Status Inquiry was mailed on October 10, 2001 and the postcard receipt was returned with the date of October 12, 2001. This document is attached hereto as Exhibit 9. A fourth Status Inquiry was filed on February 25, 2002 and was acknowledged by the return of a cancelled postcard dated March 5, 2002. Both documents are attached hereto as Exhibit 10.

It is Applicant's position that at all times relevant, all actions necessary to be taken in the Entry into the National Phase and the diligent pursuit of the present Application had been so taken, and that the present Application is accordingly entitled to the formal assignment of a Serial No. and filing date, and, subsequently, the orderly and processing through examination before the U.S. Patent and Trademark Office. Applicant believes that he has complied with all

the necessary requirements that are prerequisite to the receipt of filed status and the examination of the subject matter, and such action is accordingly believed to be in order and is courteously solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Jackson", is written over a horizontal line.

DAVID A. JACKSON
Attorney for Applicant
Registration No. 26,742

Klauber & Jackson
411 Continental Plaza
Hackensack, NJ 07601
(201)487-5800
Enclosures

INTERNATIONAL SEARCH REPORT

Inter national Classification No

PCT/CA 96/00297

08/952574

10 November 1997

| | | |
|---|---|---|
| A. CLASSIFICATION OF SUBJECT MATTER IPC 6 C12N15/55 A61K48/00 A01K67/027 | | |
| According to International Patent Classification (IPC) or to both national classification and IPC | | |
| B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) IPC 6 A61K C12N Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) | | |
| C. DOCUMENTS CONSIDERED TO BE RELEVANT | | |
| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
| X | APPLIED AND ENVIROMENTAL MICROBIOLOGY, vol. 60, no. 3, March 1994, pages 771-776, XP000579799 WILLIAMSON ET AL: "EXPRESSION OF THE LYSOSTAPHIN GENE OF STAPHYLOCOCCUS SIMULANS IN A EUKARYOTIC SYSTEM" | 1-9, 12-18 |
| Y | see whole document, noting especially comments in last paragraph of page 775 | 10 |
| X | WO, A, 93 25567 (GENPHARM INT ; DEBOER HERMAN A (NL); STRIJKER REIN (NL); HEYNEKER H) 23 December 1993 | 1-9, 11-18 |
| Y | see page 6, line 15 - page 9, line 16 see page 12, line 15 - page 31, line 13 --- -/-- | 10 |
| <input checked="" type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex. | | |
| * Special categories of cited documents : "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family | | |
| Date of the actual completion of the international search 6 September 1996 | | Date of mailing of the international search report 16. 09. 96. |
| Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+ 31-70) 340-2040, Tx. 31 651 epo nl, Fax (+ 31-70) 340-3016 | | Authorized officer Sitch, W |

INTERNATIONAL SEARCH REPORT

International Application No
PCT/CA 96/00297

| C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT | | |
|--|---|-----------------------|
| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
| X | EP,A,0 279 582 (BAYLOR COLLEGE MEDICINE) 24 August 1988 | 1-9, 11-18 |
| Y | see column 3, line 31 - column 5, line 26 see column 6, line 45 - column 9, line 21 --- | 10 |
| X | TRENDS IN BIOTECHNOLOGY, vol. 11, no. 5, May 1993, pages 211-215, XP000389867 NABEL ET AL: "DIRECT GENE TRANSFER FOR IMMUNOTHERAPY AND IMMUNIZATION" see the whole document --- | 1-8, 11-18 |
| Y | WO,A,91 18512 (UNIV WASHINGTON) 12 December 1991 see page 9, paragraph 4 - page 10, paragraph 1 see page 11, paragraph 6 - page 12, paragraph 1 --- | 10 |
| Y | EP,A,0 448 511 (CIBA GEIGY AG) 25 September 1991 see page 2, line 42 - page 3, line 16 see page 6, line 11 - line 34 ----- | 10 |

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/CA96/00297

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 1-12
because they relate to subject matter not required to be searched by this Authority, namely:
Remark: Although these claims are directed to a method of treatment of the human/animal body the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/CA 96/00297

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
|---|---------------------|--|--|
| WO-A-9325567 | 23-12-93 | AU-B- 4537393 EP-A- 0652889 JP-T- 8504562 | 04-01-94 17-05-95 21-05-96 |
| EP-A-0279582 | 24-08-88 | AU-B- 618524 AU-B- 1178488 AU-B- 661696 AU-B- 1941092 CA-A- 1321764 JP-A- 63309192 US-A- 5304489 | 02-01-92 18-08-88 03-08-95 24-09-92 31-08-93 16-12-88 19-04-94 |
| WO-A-9118512 | 12-12-91 | AU-B- 650459 AU-B- 7953191 CA-A- 2083595 EP-A- 0532650 US-A- 5378819 | 23-06-94 31-12-91 26-11-91 24-03-93 03-01-95 |
| EP-A-0448511 | 25-09-91 | AU-B- 655579 AU-B- 7279791 CA-A- 2037806 JP-A- 4217903 US-A- 5348743 | 05-01-95 19-09-91 13-09-91 07-08-92 20-09-94 |

POST OFFICE
TO ADDRESSEE



EXPRESS MAIL

UNITED STATES POSTAL SERVICE

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ORIGIN (POSTAL USE ONLY)

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| INTERNATIONAL SHIPMENTS ONLY | PO ZIP 07601 | Day of delivery Next <input checked="" type="checkbox"/> Second <input type="checkbox"/> Final Rate/Envelope |
| <input type="checkbox"/> Business Papers | Date in Nov 10 1997 | Postage \$ 15.00 |
| <input type="checkbox"/> Merchandise | Date to Nov 16 1997 | Return postage |
| Customs forms and commercial invoice may be required. See Pub. 275 and International Mail Manual | Weight 15 lb | Insurance \$ 15.00 |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/> | Address only Clarification | |

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METHOD OF PAYMENT:

Express Mail Corporate Acct. No. X076077

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☐ WAIVER OF SIGNATURE (Domestic Only): I wish delivery to be made without obtaining the signature of the addressee or the addressee's agent (if in the judgment of the delivery employee, the article can be left in a secure location) and I authorize the delivery employee to sign that the shipment was delivered and understand that the signature of the delivery employee will constitute valid proof of delivery.

NO DELIVERY

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Customer Signature

FROM: (PLEASE PRINT)

PHONE

KLAUBER & JACKSON
411 HACKENSACK AVE
HACKENSACK

NJ 07601-6328

TO: (PLEASE PRINT)

PHONE

BOX PCT PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

L 2283-1-001 (D. JACKSON/1s)

FOR PICKUP OR TRACKING CALL 1-800-222-1811

LABEL 11-F/6/03

Serial No. PCT/CA96/00207 No. 2283-1-001 by DJ

Title GENETICALLY TREATED ANIMALS

In the Matter of the Application of Marc GAGNE

The following was received in the U.S. Patent & Trademark Office on the date
stamped hereon: VIA EXPRESS MAIL #EM064376868US

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| <input checked="" type="checkbox"/> Transmittal Sheet/Cover Ltr. (dupl) | <input type="checkbox"/> Extension of Time |
| <input checked="" type="checkbox"/> Application For Patent | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Declaration <input type="checkbox"/> Affidavit | <input type="checkbox"/> Maintenance Fee |
| <input checked="" type="checkbox"/> Drawings <input checked="" type="checkbox"/> Sheet(s) | <input type="checkbox"/> Appl. TM Registration |
| <input checked="" type="checkbox"/> S.E. Verified Statements | <input type="checkbox"/> 8 & 15 Declaration |
| <input type="checkbox"/> Assignment | <input type="checkbox"/> Renewal Application |
| <input checked="" type="checkbox"/> Check for \$ <u>682.00</u> | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Letter <input type="checkbox"/> Missing Parts | <input type="checkbox"/> Brief <input type="checkbox"/> Petition |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Copy Intern'l Examination |
| <input type="checkbox"/> Amendment <input type="checkbox"/> Response | |
- Report and Intern'l Search Report

187952574

Rec'd PCT/PTO 10 NOV 1997

DOCKETED C-1

(P)

Serial No. 08/952,574 File No. 2283-1-001 By DAJ

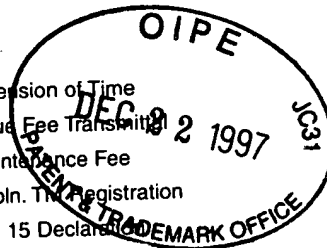
Title GENETICALLY TREATED ANIMALS

In the Matter of the Application of Marc Gagne

The following was received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☐ Transmittal Sheet/Cover Ltr.
- ☐ Application For Patent
- ☐ Declaration ☐ Affidavit
- ☐ Drawings ☐ Sheet(s)
- ☐ S.E. Verified Statements
- ☐ Assignment
- ☐ Check for \$ _____
- ☐ Letter ☐ Missing Parts
- ☐ Priority Document
- ☐ Amendment ☐ Response

- ☐ Extension of Time
- ☐ Issue Fee Transmittal
- ☐ Maintenance Fee
- ☐ Appln. Tm Registration
- ☐ 8 & 15 Declaration
- ☐ Renewal Application
- ☐ Notice of Appeal
- ☐ Brief ☐ Petition
- ☐ Power of Attorney
- ☒ IDS, including references



Form PTO-1449

RECEIVED

JAN 05 1998

KLAUBER & JACKSON

mailed

12-19-97

Serial No. 08/952,574 File No. 2283-1-001 By DAJ
Title GENETICALLY TREATED ANIMALS
In the Matter of the Application of Marc Gagne

The following was received in the U.S. Patent & Trademark Office on the date stamped hereon:

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| <input type="checkbox"/> Transmittal Sheet/Cover Ltr. | <input type="checkbox"/> Extension of Time |
| <input type="checkbox"/> Application For Patent | <input type="checkbox"/> Issue Fee Transmittal |
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| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Power of Attorney |
| <input type="checkbox"/> Amendment <input type="checkbox"/> Response | <input checked="" type="checkbox"/> <u>IDS, including reference</u> |

Form PTO-1449

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marc Gagné
Serial No.: 08/952,574
Filed: November 11, 1997
For: GENETICALLY TREATED ANIMALS

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.56

Assistant Commissioner for Patents
Washington, DC 20231
U.S.A..

Sir:

Submitted herewith on form PTO-1449 is a listing of documents known to applicants in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. Section 1.56. Copies of the documents are also being submitted herewith to comply with the provisions of 37 C.F.R. Sections 1.97 and 1.98.

The references included herewith have been cited in the specification of the instant application.

The submission of these documents is not intended as an admission that any or all of these materials are prior art against the claims of the present application. Applicants do not waive any rights to take any action which would be appropriate in the event that one or more of the documents are determined to be questionable as references against the claims of the present application.

Respectfully submitted,

By: 
David A. Jackson, Reg. No. 26742

Date:  Dec. 18, 1997

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| Form PTO-1449 (Rev.7-80) | U.S. Department of Commerce Patent & Trademark Office | ATTY. DOCKET NO. 2283-1-001 | SERIAL NO. 08/952,574 |
| LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary) | | APPLICANT Marc GAGNÉ | |
| | | FILING DATE November 10, 1997 | GROUP |

U.S. PATENT DOCUMENTS

| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date |
|-------------------|-----|-----------------|------|------|-------|----------|-------------|
| | AA | | | | | | |
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FOREIGN PATENT DOCUMENTS

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| | AL | | | | | | | |
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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|---|
| | AR | Benvenisty et al., 1986, PNAS USA 83:9551; |
| | AS | Bramley et al., 1990, Res. Vet. Sci., 49:120; |
| | AT | Felgner et al., 1987, PNAS USA, 84:7413; |

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| Examiner | Date considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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| Form PTO-1449 (Rev.7-80) | U.S. Department of Commerce Patent & Trademark Office | ATTY. DOCKET NO. 2283-1-001 | SERIAL NO. 08/952,574 |
| LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary) | | APPLICANT Marc GAGNÉ | |
| | | FILING DATE November 10, 1997 | GROUP |

U.S. PATENT DOCUMENTS

| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date |
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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|---|
| | AU | Fowler et al., 1991, J. Dairy Sci., 58:151; |
| | AV | Heath et al., 1987, FEMS Microbiology Letters, 44:129; |
| | AW | Heinrich et al., 1987, Molecular and General Genetics, 209:563; |

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| Examiner | Date considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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| Form PTO-1449 (Rev.7-80) | U.S. Department of Commerce Patent & Trademark Office | ATTY. DOCKET NO. 2283-1-001 | SERIAL NO. 08/952,574 |
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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|--|
| | AX | Malone, 1989, Focus, 11:61; |
| | AY | Malone et al., 1989, PNAS USA, 86:6077; |
| | AZ | Nicolau et al., 1983, PNAS USA, 80:1068; |

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| Examiner | Date considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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| Form PTO-1449 (Rev.7-80) | U.S. Department of Commerce Patent & Trademark Office | ATTY. DOCKETT NO. 2283-1-001 | SERIAL NO. 08/952,574 |
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| | | FILING DATE November 10, 1997 | GROUP |

U.S. PATENT DOCUMENTS

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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|-----------------|--|
| | AR ¹ | Nordhaug et al., 1994, J Dairy Sci., 77:1267 & 1276; |
| | AS ¹ | Pierce et al., 1977, Anal. Biochem., 81:478; |
| | AT ¹ | Recsei et al., 1987, PNAS USA, 84:1127; |

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|---|-----------------|
| Examiner | Date considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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| | AD | | | | | | |
| | AE | | | | | | |
| | AF | | | | | | |
| | AG | | | | | | |
| | AH | | | | | | |
| | AI | | | | | | |
| | AJ | | | | | | |
| | AK | | | | | | |

FOREIGN PATENT DOCUMENTS

| | | Document number | Date | Country | Class | Subclass | Translation | |
|--|----|-----------------|------|---------|-------|----------|-------------|----|
| | | | | | | | Yes | No |
| | AL | | | | | | | |
| | AM | | | | | | | |
| | AN | | | | | | | |
| | AO | | | | | | | |
| | AP | | | | | | | |
| | AQ | | | | | | | |

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|-----------------|--|
| | AU ¹ | Seeger et al., 1984, PNAS USA, 81:5849; |
| | AV ¹ | Simons et al., 1987, Nature, 328:530; |
| | AW ¹ | Wang et al., 1991, Cancer Research, 51:2642; |

| | |
|---|-----------------|
| Examiner | Date considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

| | | | |
|--|--|----------------------------------|--------------------------|
| Form PTO-1449 (Rev.7-80) | U.S. Department of Commerce Patent & Trademark Office | ATTY. DOCKETT NO. 2283-1-001 | SERIAL NO. 08/952,574 |
| LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary) | | APPLICANT Marc GAGNÉ | |
| | | FILING DATE November 10, 1997 | GROUP |

U.S. PATENT DOCUMENTS

| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date |
|-------------------|----|-----------------|------|------|-------|----------|-------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
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| | AK | | | | | | |

FOREIGN PATENT DOCUMENTS

| | | Document number | Date | Country | Class | Subclass | Translation | |
|--|----|-----------------|------|---------|-------|----------|-------------|----|
| | | | | | | | Yes | No |
| | AL | | | | | | | |
| | AM | | | | | | | |
| | AN | | | | | | | |
| | AO | | | | | | | |
| | AP | | | | | | | |
| | AQ | | | | | | | |

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|-----------------|---|
| | AX ¹ | Wu et al., 1988, J. Biol. Chem., 263:14621. |
| | AY ¹ | |
| | AZ ¹ | |

| | |
|---|-----------------|
| Examiner | Date considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

Serial No. 08/952,574 File No. 2283-1-001 By DAJ

Title GENETICALLY TREATED ANIMALS

In the Matter of the Application of Marc Gagne

The following was received in the U.S. Patent & Trademark Office on the date stamped hereon:

- DEC 22 1997**
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| <input type="checkbox"/> Application For Patent | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Declaration <input type="checkbox"/> Affidavit | <input type="checkbox"/> Maintenance Fee |
| <input type="checkbox"/> Drawings <input type="checkbox"/> Sheet(s) | <input type="checkbox"/> Appln. TM Registration |
| <input type="checkbox"/> S.E. Verified Statements | <input type="checkbox"/> 8 & 15 Declaration |
| <input checked="" type="checkbox"/> Assignment + recordal cover | <input type="checkbox"/> Renewal Application |
| <input checked="" type="checkbox"/> Check for \$ <u>40.00</u> | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Letter <input type="checkbox"/> Missing Parts | <input type="checkbox"/> Brief <input type="checkbox"/> Petition |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Power of Attorney |
| <input type="checkbox"/> Amendment <input type="checkbox"/> Response | <input type="checkbox"/> _____ |

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KLAUBER & JACKSON



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Washington, D.C. 20231

FEBRUARY 12, 1998

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DAVID A. JACKSON
411 HACKENSACK AVENUE, 4TH FLOOR
HACKENSACK, NEW JERSEY 07601

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100600790A

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NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/22/1997

REEL/FRAME: 8866/0068
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
GAGNE, MARC

DOC DATE: 11/20/1997

ASSIGNEE:
IMMUNOVA
BUREAU 110, 2750 RUE EINSTEIN
SAINTE-FOY, CANADA G1P 4R1

SERIAL NUMBER: 08952574
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

DOROTHY RILEY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

1-08-1998

DEC 22 1997

FORM PTO-1595
(Rev. 6/93)100600790
PATENTS ONLY

ER SHEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Attorney Docket No. 2283-1-001

To the Assistant Commissioner for Patents

1. Name of conveying party(ies): MURD 12/22/97

Marc GAGNÉ

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name

Other: _____

Execution Date: November 20, 1997

2. Name and address of receiving party(ies):

Name: IMMUNOVAAddress: Bureau 110, 2750 rue EinsteinSainte-Foy, Québec G1P 4R1Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

08/952,574

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: DAVID A. JACKSONAddress: KLAUBER & JACKSON

411 Hackensack Avenue, 4th Floor

Hackensack, New Jersey 07601

6. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): \$40.00☒ Enclosed☐ Authorized to be charged to deposit account, if necessary - for overages or underpayments only

8. Deposit account number:

11-1153

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*David A. Jackson, Reg. No. 26,742
Name of Person Signing

Signature

12/18/97
DateTotal number of pages including cover sheet, attachments, and document: 2

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents
Box Assignments
Washington, D.C. 2023101/07/1998 TTON11 00000154 08952574
01 FC:581 40.00 OP

ASSIGNMENT OF INVENTION

UNIVERSAL

WHEREAS, I/We Marc GAGNÉ, have invented certain improvements in
GENETICALLY TREATED ANIMALS and described in a patent
application Serial No. PCT/CA96/00297 filed on May 10, 1996
and:

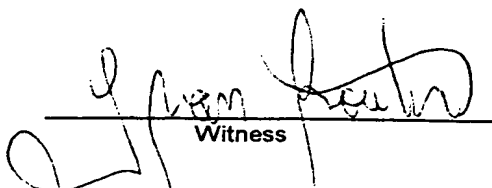
WHEREAS, IMMUNOVA (hereinafter referred to as the Assignee),
is desirous of acquiring the entire right, title and interest in and to said invention or inventions and
in and to any and all patents to be obtained therefore;

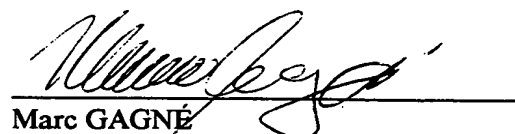
NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other valuable
consideration, the receipt of which is hereby acknowledged, I/We have and by these presents do
hereby sell, assign and transfer unto said Assignee, its successors and assigns, the entire right, title
and interest in and to said invention or inventions, as described in the aforesaid application, in any
form or embodiment thereof, and in and to the aforesaid application; and in and to any applications
filed in any foreign country based thereon, including the right to file said foreign applications under
the provisions of the International Convention; also the entire right, title and interest in and to any
and all patents, reissues or extensions thereof to be obtained in this or any foreign country upon
said invention or inventions, and any divisional, continuation, continuation-in-part, substitute
application(s) or supplementary disclosure(s) which may be filed upon said invention or inventions,
in any country; and I/We hereby authorize and request the issuing authority to issue any and all
patents on said application or applications to said Assignee.

I/We further agree, without any payment by said Assignee other than expenses
incurred by the undersigned, to communicate to said Assignee, its representatives or agents, any
facts relating to said invention or inventions, including evidence for interference purposes or for
other proceedings, whenever requested; testify in any interference, litigation or other proceedings,
whenever requested; and execute and deliver, on request, all lawful papers required to make any of
the foregoing provisions effective, and likewise make these provisions binding upon my/our heirs,
legal representatives, administrators and assigns.

Le(s) soussigné(s) désire(nt) que la présente cession soit en anglais. The undersigned
request(s) that the present assignment be in English.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand(s) and seal this
20 day of November 1997


Witness


Marc GAGNÉ

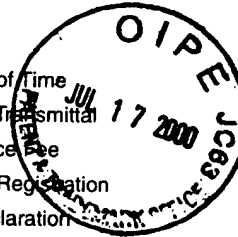
Serial No. 08/952,574 File No. 2283-1-001 By DAJ/1s
Title GENETICALLY TREATED ANIMALS
In the Matter of the Application of Marc Gagne

The following was received in the U.S. Patent & Trademark Office on the date stamped hereon:

STATUS INQUIRY

- ☒ Transmittal Sheet/Cover Ltr.
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☐ Declaration ☐ Affidavit
☐ Drawings ☐ Sheet(s)
☒ S.E. Verified Statements
☐ Assignment
☐ Check for \$ _____
☐ Letter ☐ Missing Parts
☐ Priority Document
☐ Amendment ☐ Response

- ☐ Extension of Time
☐ Issue Fee Transmittal
☐ Maintenance Fee
☐ Appln. TM Registration
☐ 8 & 15 Declaration
☐ Renewal Application
☐ Notice of Appeal
☐ Brief ☐ Petition
☐ Power of Attorney
☐ _____



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Marc Gagné
SERIAL NO. : 08/952,574
FILED : November 11, 1997
FOR : GENETICALLY TREATED ANIMALS

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on July 14, 2000.

David A. Jackson, Reg. No. 26,742
(Name of Registered Representative)

Luis A. Suarez 7/14/00
(Signature and Date)

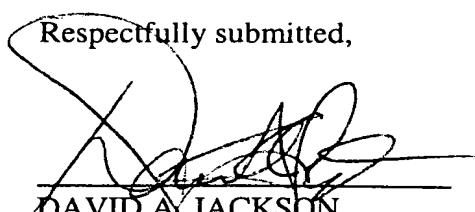
STATUS INQUIRY

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Please be so kind as to advise the undersigned of the status of the above-identified application, and as to when a substantive action can be expected.

Respectfully submitted,



DAVID A. JACKSON
Attorney for Applicant
Registration No. 26,742

Klauber & Jackson
411 Continental Plaza
Hackensack, NJ 07601
(201)487-5800

Serial No. 08/952,574 File No. 2283-1-001 By DAJ/lis

Title GENETICALLY TREATED ANIMALS

In the Matter of the Application of Marc Gagne

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| <input type="checkbox"/> Assignment | <input type="checkbox"/> Renewal Application |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Marc Gagné
SERIAL NO. : 08/952,574
FILED : November 11, 1997
FOR : GENETICALLY TREATED ANIMALS

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- I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on July 6, 2001.

David A. Jackson, Reg. No. 26,742
(Name of Registered Representative)

Lois A. Sure 7/6/01
(Signature and Date)

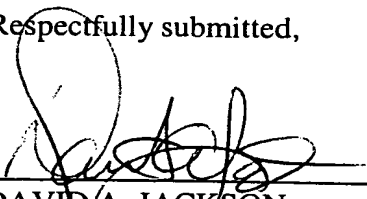
STATUS INQUIRY

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Please be so kind as to advise the undersigned of the status of the above-identified application, and as to when a substantive action can be expected. The undersigned requested the status of the captioned application on July 14, 2000. To date, no response to our previous status inquiry has been received.

Respectfully submitted,


DAVID A. JACKSON
Attorney for Applicant
Registration No. 26,742

Klauber & Jackson
411 Continental Plaza
Hackensack, NJ 07601
(201)487-5800

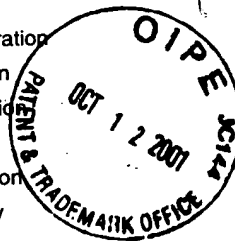
Serial No. 08/952,574 File No. 2283-1-001 By DAJ/l's
Title GENETICALLY TREATED ANIMALS
In the Matter of the Application of Marc Gagne

The following was received in the U.S. Patent & Trademark Office on the date stamped hereon:

3rd Status Inquiry

- ☒ Transmittal Sheet/Cover Ltr.
- ☐ Application For Patent
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- ☐ Drawings ☐ Sheet(s)
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- ☐ Check for \$ _____
- ☐ Letter ☐ Missing Parts
- ☐ Priority Document
- ☐ Amendment ☐ Response

- ☐ Extension of Time
- ☐ Issue Fee Transmittal
- ☐ Maintenance Fee
- ☐ Appln. TM Registration
- ☐ 8 & 15 Declaration
- ☐ Renewal Application
- ☐ Notice of Appeal
- ☐ Brief ☐ Petition
- ☐ Power of Attorney
- ☐ _____



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Marc Gagné
SERIAL NO. : 08/952,574
FILED : November 11, 1997
FOR : GENETICALLY TREATED ANIMALS

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David A. Jackson, Reg. No. 26,742
(Name of Registered Representative)

David A. Jackson 10/10/01
(Signature and Date)

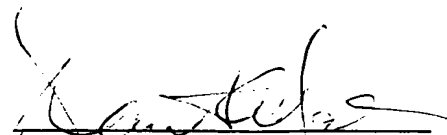
STATUS INQUIRY

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Please be so kind as to advise the undersigned of the status of the above-identified application, and as to when a substantive action can be expected. The undersigned requested the status of the captioned application on July 14, 2000. The undersigned requested another status of the application on July 6, 2001, but did not receive a return stamped postcard. No response to our previous status inquiry has been received.

Respectfully submitted,



DAVID A. JACKSON
Attorney for Applicant
Registration No. 26,742

Klauber & Jackson
411 Continental Plaza
Hackensack, NJ 07601
(201)487-5800

Serial No. 08/952,574 File No. 2283-1-001 By DAJ/1s

Title GENETICALLY TREATED ANIMALS

In the Matter of the Application of Marc Gagne

The following was received in the U.S. Patent & Trademark Office on the date stamped hereon:

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☐ Letter ☐ Missing Parts

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☐ Amendment ☐ Response

☐ Extension of Time

☐ Issue Fee Transmittal

☐ Maintenance Fee

☐ Appln. TM Registration

☐ 8 & 15 Declaration

☐ Renewal Application

☐ Notice of Appeal

☐ Brief ☐ Petition

☐ Power of Attorney

☐ _____



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Marc Gagné
SERIAL NO. : 08/952,574
FILED : November 11, 1997
FOR : GENETICALLY TREATED ANIMALS

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on February 25, 2002.

David A. Jackson, Reg. No. 26,742
(Name of Registered Representative)

David A. Jackson 2/25/02
(Signature and Date)

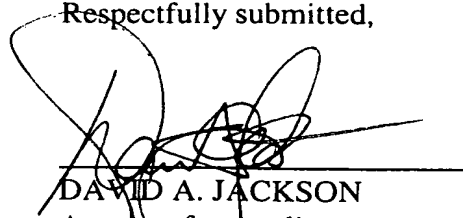
STATUS INQUIRY

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Please be so kind as to advise the undersigned of the status of the above-identified application, and as to when a substantive action can be expected. The undersigned requested the status of the captioned application on July 14, 2000; July 6, 2001; and October 10, 2001. A copy of the inquiries are enclosed herewith along with the stamp-receipt postcards. No response to our previous status inquiries have been received.

Respectfully submitted,



DAVID A. JACKSON
Attorney for Applicant
Registration No. 26,742

Klauber & Jackson
411 Continental Plaza
Hackensack, NJ 07601
(201)487-5800

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